

MESSAGE NO: 5035202 MESSAGE DATE: 02/04/2005

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 4358210
MESSAGE #
(s):

CASE #(s): A-570-202

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2002 TO 01/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR HEAVY FORGED HAND TOOLS FROM THE
PEOPLE'S REPUBLIC OF CHINA (BARS/WEDGES) (A-570-202)

MESSAGE NO: 5035202

DATE: 02 04 2005

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 4358210

REFERENCE DATE: 12 23 2004

CASES: A - 570 - 202

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PERIOD COVERED: 02 01 2002 TO 01 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR HEAVY FORGED HAND TOOLS
FROM THE PEOPLE'S REPUBLIC OF CHINA (BARS/WEDGES)
(A-570-202)

1. ALL SHIPMENTS OF BARS/WEDGES FROM THE PEOPLE'S REPUBLIC OF
CHINA (PRC) EXPORTED BY SHANDONG HUARONG GENERAL GROUP
CORPORATION (ALSO DOING BUSINESS AS SHANDONG HUARONG MACHINERY

COMPANY LIMITED) (HUARONG) (A-570-202-004), LIAONING MACHINERY
IMPORT AND EXPORT CORPORATION (ALSO DOING BUSINESS AS LIAONING
MACHINERY IMPORT AND EXPORT CORPORATION LIMITED AND AS THE LIMAC
COMPANY) (LMC/LIMAC) (A-570-202-005), SHANDONG MACHINERY IMPORT

AND EXPORT CORPORATION (SMC) (A-570-202-002), OR TIANJIN
MACHINERY IMPORT AND EXPORT CORPORATION (TMC) (A-570-202-003),
AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING

THE PERIOD 02/01/2002 THROUGH 01/31/2003, WERE ENJOINED FROM
LIQUIDATION VIA MESSAGE NUMBER 4358210 DATED 12/23/2004.

ACCORDINGLY, UNTIL FURTHER NOTICE, DO NOT LIQUIDATE ENTRIES OF
BARS/WEDGES FROM THE PRC EXPORTED BY HUARONG, LMC/LIMAC, SMC, OR
TMC FOR THIS TIME PERIOD.

FOR ALL SHIPMENTS OF BARS/WEDGES FROM THE PRC PRODUCED AND/OR
EXPORTED BY ALL OTHER PRC AND NON-PRC COMPANIES, ENTERED OR
WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD
02/01/2002 THROUGH 01/31/2003, ASSESS AN ANTIDUMPING LIABILITY OF
139.31 PERCENT OF THE ENTERED VALUE.

2. EXCEPT AS NOTED IN PARAGRAPH 1, THESE INSTRUCTIONS CONSTITUTE
THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR
THE MERCHANDISE AND PERIOD LISTED IN PARAGRAPH 2 ABOVE. FOR ALL

OTHER SHIPMENTS OF BARS/WEDGES FROM THE PRC YOU SHALL, UNLESS
OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF
ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT
RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS AND
BORDER PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT
TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.
SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND
ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS
DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST
PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS
ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF
THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM
THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED
THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST
IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE
INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O4:TEM).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party